

City Council Minutes
Tuesday, August 25, 2020

On the 25th day of August 2020, at 6:30 p.m., the City Council of the City of Hurst, Texas, convened in a Special Meeting at City Hall, 1505 Precinct Line Road, Hurst, Texas, by telephone conference to advance the public health goal of limiting face-to-face meetings to slow the spread of the Coronavirus (COVID-19) with the following members present:

Henry Wilson	)	Mayor
Jon McKenzie	)	Mayor Pro Tem
David Booe	)	Councilmembers
Larry Kitchens)	
Cathy Thompson)	
Bill McLendon)	
Cindy Shepard)	
Clay Caruthers	)	City Manager
Matthew Boyle	)	Assistant City Attorney
Clayton Fulton	)	Assistant City Manager
Malaika Marion Farmer	)	Assistant City Manager
Rita Frick	)	City Secretary
Michelle Lazo	)	Executive Director of Planning and Development
Greg Dickens	)	Executive Director of Public Works
Sunny Patel	)	Information Technology Director

With the following Councilmembers absent: none, constituting a quorum; at which time, the following business was transacted:

The meeting was called to order at 6:30 p.m.

Mayor Wilson gave the Invocation.

Mayor Wilson noted the telephonic meeting due to the COVID-19 pandemic provided rules of procedure for the meeting including how online attendees can request to speak.

PROCLAMATION

1. Proclamation recognizing former Councilmember Nancy Welton's 90th Birthday

Mayor Wilson read a Proclamation recognizing former Councilmember Nancy Welton's 90th Birthday. Councilmembers and staff wished Ms. Welton Happy Birthday.

CONSENT AGENDA

2. Consider approval of the minutes for the August 11 and 12, 2020 City Council meetings

3. Consider Ordinance 2443, first reading, amending the Hurst Code of Ordinances, Chapter 2, Article X. Senior Citizens Advisory Board
4. Consider Resolution 1777 to adopt the City of Hurst Investment Policy

Councilmember McKenzie moved to approve the consent agenda. Motion seconded by Councilmember Thompson. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, Thompson, McLendon, McKenzie and Shepard
No: None

BUDGET RELATED(S)

5. Consider Ordinance 2441(a), second reading, adopting budget for fiscal year beginning October 1, 2020 and ending September 30, 2021

City Manager Caruthers stated the budget, since first reading, has not changed in total, but staff did ensure the police department is funded at the same level as prior years.

Councilmember Thompson moved to approve Ordinance 2441(a) adopting the budget for fiscal year beginning October 1, 2020 and ending September 30, 2021. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, Thompson, McLendon, McKenzie and Shepard
No: None

6. Consider Ordinance 2441(b), second reading, ratifying the Property Tax Revenue Increase reflected in the Fiscal Year 2020-2021 Budget

City Manager Caruthers stated this is the second reading to ratify the property tax revenue increase and is required any time the rate exceeds the no new revenue or roll back rate. He stated the City will not exceed the rollback, but does the no new revenue rate, with a rate of \$0.625159 per \$100 value. He noted, as a matter of coincidence, the increase is about equivalent to the lost revenue in the Anti-Crime Fund and the goal is to maintain police funding.

Councilmember Shepard moved to adopt Ordinance 2441(b) ratifying the Property Tax Revenue Increase in the 2020-2021 fiscal year budget. Motion seconded by Councilmember McLendon. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, Thompson, McLendon, McKenzie and Shepard
No: None

7. Consider Ordinance 2442, second reading, setting the tax rate for the 2020 tax year

City Manager Caruthers stated this item is another second reading on the budget and tax rate items and this ordinance sets the tax rate for the 2020 tax year with a rate of \$0.625159 per \$100 value. He stated the rate is approximately 50 cents for maintenance and operations and 12 cents for the interest and sinking fund. He stated the City continues to measure the amount of debt obligation by a percentage of the I&S rate, and it is about an 80/20 split with a measurable goal remaining better than a 75/25 split. Mr. Caruthers reminded Council of required language to be included in the motion.

Councilmember Booe moved with the adoption of Ordinance 2442, "I move that the property tax rate be increased by the adoption of a tax rate of \$0.625159, which is effectively a 3.12% increase in the tax rate. Motion seconded by Councilmember Thompson. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, Thompson, McLendon, McKenzie and Shepard
No: None

PUBLIC HEARING(S) AND RELATED ITEM(S)

8. Conduct a Public Hearing and Consider Ordinance 2445 first reading, adopting SP-20-03, Melbourne Place, a site plan revision for Lot 3, Block 1, Melbourne Place Addition, being .20 acre located at 1124 Blakey Court

Mayor Wilson announced a public hearing to consider Ordinance 2445 first reading, adopting SP-20-03, Melbourne Place, a site plan revision for Lot 3, Block 1, Melbourne Place Addition, being .20 acre located at 1124 Blakey Court and recognized Executive Director of Planning and Development Michelle Lazo who provided an overview of the plan. She stated a site plan was approved in 2015 for single family development on the property with the north lots being single story. She stated the buyer is asking for a second story with a game room and bedroom, but no window on rear of the elevation.

Mayor Wilson recognized Jerry Golf representing building Krissy Bublitz, with Sandlin Custom Homes and owner of 1124 Blakely Court. He stated one reason for the restriction on the two story home is privacy for the homeowners to the north and concern for large structures so close to the fence line. He stated the building plan shows the back roof line is a single story roof line, with no windows over the roof plate and no visibility into the homes on the north.

Mayor Wilson recognized the following individuals who expressed concerns regarding privacy, view obstruction, not being able to speak at the Planning and Zoning Commission meeting and Council not honoring the original plat restrictions regarding single story residences for the development: John Paprskar, owner of a lot north and Evelyn Hamilton, 200 Melbourne Road, Hurst, Texas.

Mr. Golf stated he understands the concerns of the neighbors regarding a window, but reiterated that the roof line is not any larger than a single story home and the view would not change if it was one or two story. He stated the window on the west is towards the front building line and with a three car garage there is no line of site from that window into anyone's yard. Mr. Paprskar noted an entry on the site plan, which allows for the reposition of the home on the lot after the survey and again expressed his concerns regarding privacy and view obstruction.

There being no one else to speak, Mayor Wilson closed the public hearing.

Councilmembers discussed the original development approval for single family homes and concerns expressed by the residents.

Councilmember Kitchens moved to deny SP-20-03 Melbourne Place and Ordinance 2445. Motion seconded by Councilmember Shepard. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, Thompson, McLendon, McKenzie and Shepard
No: None

PLAT(S)

9. Consider P-20-05 Belco Addition, a replat of Lot 3R and 4 to Lot 3R-1, Block 1 Belco Addition, being 1.63 acres located at 916 Grapevine Highway

Executive Director of Planning and Development Michelle Lazo stated this item is a simple re-plat request by the owner of Car Wash City who purchased Lot 4 to expand the car wash to add additional shaded vacuum structures and realign the entrance to the car wash tunnel and also noted no changes to the driveway on Grapevine Highway. In response to Council questions, Mr. Dickens stated it meets all engineering requirements.

Councilmember Thompson moved to approve P-20-05 Belco Addition. Motion seconded by Councilmember McKenzie. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, Thompson, McLendon, McKenzie and Shepard
No: None

10. Consider P-20-03 Cantrell Addition, a final plat of Tract 1B William T. Jones Survey Abstract 865 to Lot 1, Block 1 Cantrell Addition, being .73 acre located at 351 Grapevine Highway.

Executive Director of Planning and Development Michelle Lazo stated this lot has never been platted and CNC Conglomerate Companies is requesting the plat in order to submit

a building permit for a shade structure on the east side of the building. She noted there are no engineering plans required for this plat.

Councilmember Shepard moved to approve P-20-03 Cantrell Addition. Motion seconded by Councilmember Kitchens. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, Thompson, McLendon, McKenzie and Shepard

No: None

OTHER BUSINESS

11. Consider authorizing the city manager to enter into a Contract with Deltatek, Inc., for engineering services, for the North Precinct Line Road Elevated Storage Tank Renovation and Repainting

City Manager Caruthers stated this item is for an engineering contract for the repair and refurbishing of the North Precinct Line Road Elevated Storage Tank. He stated there will be a future construction contract to skirt, remove and repaint the tank why following all environmental requirements. He stated the tanks have to be maintained to ensure safe drinking water for the community. Executive Director of Public Works Greg Dickens stated the typical life of the tank is 15 to 20 years. City Manager Caruthers also noted the total fee for this item is not to exceed \$127,900.

Councilmember Booe moved to authorize the city manager to enter into an Engineering Services Contract with Deltatek, Inc., for engineering services, for the North Precinct Line Road Elevated Storage Tank renovation and repainting project for a total fee not to exceed \$127,900. Motion seconded by Councilmember McLendon. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, Thompson, McLendon, McKenzie and Shepard

No: None

12. Consider approval of the Siddons-Martin Emergency Group proposal for (Bid #671) and authorize the city manager to purchase a fire engine replacement truck

City Manager Caruthers stated this item is a replacement truck for a 12 to 13 year old truck that will move into reserve status. He stated the fleet maintenance group has worked to pull as many life years as they can from the truck, but both the Fire Chief and Fleet Manager believe it is time to move the existing truck to reserve. He noted the public financing instrument recently approved through Council will fund 80% of the vehicle. He stated the total amount for the truck is not to exceed \$720,000, but there will be another contract for equipment. Councilmember Booe noted newer technology on the truck and Mayor Wilson stated Council looks forward to the push-in ceremony.

Councilmember Thompson moved to approve the Siddons-Martin Emergency Group proposal for the purchase of a fire engine, in an amount not to exceed \$720,000. Motion seconded by Councilmember Shepard. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, Thompson, McLendon, McKenzie and Shepard
No: None

13. Consider authorizing the city manager to enter into an agreement with Jeryl E. White, developer and property owner, concerning public water and sanitary sewer service, for four proposed single family homes in Hurst Extra Territorial Jurisdiction Area in far northeast Hurst

City Manager Caruthers stated the City has an extra territorial jurisdiction (ETJ) in far northeast Hurst near Colleyville and the landowner wants to build four homes on the vacant land. He stated there is an existing home on one parcel that will be removed. He noted the agreement is proposed in that the developer was contemplating mobile homes, but needed water and sewer services. Mr. Caruthers stated staff worked with the owner and essentially the agreement provides in exchange for water and sewer service, the property owner will agree to build single family homes. Mr. Caruthers noted an additional clause to the agreement recommended by the City Attorney, clarifying the City has the right to terminate services if not constructed in accordance with the agreement. He requested Council include the amended language, per the attorney's recommendation, in the motion.

Councilmember Shepard moved to authorize the city manager to enter into an agreement with Jeryl E. White, developer and property owner, concerning public water and sanitary sewer service, for four proposed single family homes in Hurst Extra Territorial Jurisdiction Area in far northeast Hurst and to include the advised language per the attorney. Motion seconded by Councilmember McLendon. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, Thompson, McLendon, McKenzie and Shepard
No: None

14. Review of upcoming calendar items – City Manager Caruthers noted city offices will be closed September 7 for the Labor Day holiday.
15. City Council Reports - Items of Community Interest – None given.

PUBLIC INVITED TO BE HEARD – A REQUEST TO APPEAR CARD MUST BE COMPLETED AND RETURNED TO THE CITY SECRETARY TO BE RECOGNIZED – No one spoke.

Mayor Wilson did not recess the meeting to Executive Session.

EXECUTIVE SESSION in Compliance with the Provisions of the Texas Open Meetings Law, authorized by Government Code, Section 551.071, Consultation with City Attorney to seek advice regarding Pending or Contemplated Litigation or Settlement Offers (Dakota Place Apartments) and to reconvene in Open Session at the conclusion of the Executive Session

16. Take any and all action ensuing from Executive Session. No action was taken.

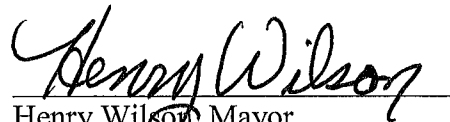
ADJOURNMENT – The meeting adjourned at 7:21 p.m.

APPROVED this the 8th day of September 2020.

ATTEST:


Rita Frick, City Secretary

APPROVED:


Henry Wilson, Mayor